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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/220,970 12/23/98 MILLS

R 9213-4

EXAMINER

WM31/0319

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PHILADELPHIA PA 19102

CHEN, W	
ART UNIT	PAPER NUMBER

2624
DATE MAILED:

14
03/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Notification of Non-Compliance
With 37 CFR 1.192(c) in
Reexamination**

Control No.

09/220,970

Examiner

Wenpeng Chen

Patent Under Reexamination

MILLS, RANDELL

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 09 February 2001 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

Patent owner is given a TIME PERIOD of ONE MONTH from the mailing date of this letter or any time remaining in the period under 37 CFR 1.192(a) for filing a new complete brief. If a new complete brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed as of the expiration of the period for reply to this Notification. Extensions of this one month time period may be obtained only under 37 CFR 1.550(c). The new complete brief must be filed IN TRIPLICATE. See 37 CFR 1.192(a).

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☒ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

(a) With regard to item 2 above, the application has Claims 1-322 under examination for which 1-50 are canceled and 51-322 are rejected. In section 3 of the present brief, the Appellant stated only that "Claims 50-322 are pending." This statement did not contain the status of all claims. Also, the stated status is incorrect because Claim 50 is not pending.

(b) The Appellant filed an amendment together with the Appeal Brief on 2/9/2001. The amendment was filed after the last (the 2nd non-final rejection) rejection. This amendment has been entered.

Wenpeng Chen
Examiner
Art Unit: 2624

Wenpeng Chen
3/14/01

cc: Requester (if third party requester)